

UNITED STATES DISTRICT COURT

MIDDLE DISTRICT OF TENNESSEE

NASHVILLE DIVISION

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	:	
TERRY W. BETTIS, Individually and on Behalf of	:	
All Others Similarly Situated,	:	Civil Action No. 3:17-cv-01112
	:	(Consolidated with Case Nos.
Plaintiff,	:	3:17-cv-01323 and
	:	3:17-cv-01397)
-against-	:	
	:	Honorable William L. Campbell, Jr.
ENVISION HEALTHCARE CORPORATION, et al.,	:	Magistrate Judge Jeffery S. Frensley
	:	
Defendants.	:	
	:	
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**MOTION OF THE CD&R DEFENDANTS
TO DISMISS THE CONSOLIDATED AMENDED COMPLAINT**

Defendants Clayton, Dubilier & Rice, LLC, CD&R Associates VIII Ltd., Clayton, Dubilier & Rice Fund VIII, L.P., CD&R EMS Co-Investor, L.P., CD&R Advisor Fund VIII Co-Investor, L.P. and CD&R Friends & Family Fund VIII, L.P. (collectively, the “CD&R Defendants”) hereby move, pursuant to Federal Rules of Civil Procedure 9(b) and 12(b)(6) and the Private Securities Litigation Reform Act of 1995, 15 U.S.C. § 78u-4, to dismiss the Consolidated Amended Complaint. In support of their Motion, the CD&R Defendants rely on the accompanying Memorandum of Law, the Declaration of Elliot Greenfield, and the exhibits attached thereto, and the entire record of this action.

Dated: New York, New York
April 3, 2018

DEBEVOISE & PLIMPTON LLP

By: /s/ Shannon Rose Selden

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Fund VIII, L.P., CD&R EMS Co-Investor, L.P., CD&R
Advisor Fund VIII Co-Investor, L.P. and CD&R Friends
& Family Fund VIII, L.P.*

CERTIFICATE OF SERVICE

I hereby certify that I am counsel for defendants Clayton, Dubilier & Rice, LLC, CD&R Associates VIII Ltd., Clayton, Dubilier & Rice Fund VIII, L.P., CD&R EMS Co-Investor, L.P., CD&R Advisor Fund VIII Co-Investor, L.P. and CD&R Friends & Family Fund VIII, L.P. in this action and that on April 3, 2018, I caused a copy of the foregoing to be filed with the Court's ECF system, which will cause notice of its filing to be served electronically upon all counsel who have appeared in this action.

/s/ Elliot Greenfield

Elliot Greenfield